

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**SUIT No. 909 OF 2015
ALONG WITH
NOTICE OF MOTION No. 1780 OF 2015**

Mrs. Rukmini Sanwarmal Khaitan and 2 others

..Plaintiffs

-Versus-

Harsh Rajiv Khaitan and 2 others

...Defendants

Mr. J. Chandnani, instructed by Lexim Associates, for the Plaintiffs.

Mr. Vedchetan Patil, instructed by Ms. Ashwini Sawant, for Defendant Nos. 1 to 3.

Mrs. Meena Alok Khaitan Plaintiff No. 2 and Next Friend of Plaintiff No. 1 present.

Mrs. Pushpa Dastoor Plaintiff No.3 present.

Mr. Rajiv Sanwarmal Khaitan Defendant No.3 present.

Ms. Saroj Ghanshyam Agarwal Defendant No. 4 present.

Mr. Aditya Alok Khaitan Defendant No. 5 present.

Ms. Aditi Alok Khaitan Defendant No. 6 present.

**CORAM : S.J. KATHAWALLA, J.
DATE : 9th April, 2016.
(At Residence)**

P.C.

1. The above suit pertains to the property disputes between the family members. Plaintiff No.1 is the mother of Plaintiff No.3 and , Defendant Nos. 3 and 4. Plaintiff No. 2 is the Daughter-in-law of the Plaintiff No.1. Defendant Nos. 1 and 2 are the children of Defendant No.3. Defendant Nos. 5 and 6 are the children of the deceased son of Plaintiff No. 1 namely Alok Khaitan. The matter was adjourned on more than 10 occasions to enable the parties to arrive at an amicable settlement. On 07th April, 2016, the parties had informed the court that the matter is settled. However the Defendant Nos.3 and 4 who are residents of Bengaluru were unable to attend the court. The Plaintiff No. 3 is a resident of U.S. and has to leave for U.S. tonight. In view thereof the matter was placed today at my residence to enable the parties to appear before me and file Consent Terms resolving all the disputes between them.

2. The Learned Advocates appearing for the parties have tendered Consent Terms dated 9th April, 2016. They submit that the Consent Terms be taken on record and the above Suit and Notice of Motion be disposed off in terms of Consent Terms. The Consent Terms are taken on record and marked 'X' for identification. The Consent Terms are signed by the Plaintiff No.2 for self and as next friend of Plaintiff No.1, the Plaintiff No. 3 and Defendant Nos.3, 4, 5 and 6. The Consent Terms are also signed by

the Defendant No.3 for self and as constituted attorney for Defendant No.1 and as guardian of Defendant No.2. The Consent Terms are also signed by the Advocate for the Plaintiffs and Advocate for Defendant Nos. 1 to 3 and 4. The Defendant Nos. 5 and 6 are not represented by any Advocate. They are present in person.

3. The Public Notice/ Advertisement recorded in paragraph No. 55 of the Consent Terms, shall be issued in Free Press Journal (in English) and Navshakti (in Marathi) on or before 30th April, 2016.

4. The above Suit is disposed off in terms of the Consent Terms, marked 'X'.

5. In view of the disposal of the above Suit, Notice of Motion No. 1780 of 2015 does not survive and hence disposed off.

6. Refund of Court fees, if any, as per rules.

[S. J. KATHAWALLA, J.]